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AND HERZEGOVINA

SECURITY COUNCIL
Fifty-first year

Letter dated 26 March 1996 from the representatives of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General

We would be grateful if you would have the enclosed text of the Final Document of the Contact Group Ministerial Meeting, dated 23 March 1996, and of the present letter circulated as an official document of the General Assembly, under agenda item 28, and of the Security Council.

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ANNEX

[Original: English and Russian]

Final Document of the Contact Group Ministerial Meeting, dated 23 March 1996

The Contact Group Ministers met in Moscow on 23 March 1995 to review the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina signed in Paris. They reconfirmed their commitment to a strict, just and even-handed approach to the implementation of the Agreement and underlined the significant investment of resources which the international community had already made to this end.

On the whole, implementation is proceeding according to the timetable established by the Agreement. An important threshold has been reached with the transfer of territories between the two Entities within the deadline set out in the Agreement. However, many problems remain which, if left unresolved, will affect the stability and irreversibility of the peace process.

The peace process is now entering a new stage in which the primary responsibility will be on the Parties to give substance to the civilian provisions of the Agreement. The objective of this new stage will be to create a climate of genuine trust and cooperation in Bosnia and Herzegovina. This objective can only be achieved if the Parties demonstrate political will and a sense of initiative to make the peace process a success. The Contact Group Ministers received reports which indicated that this necessary will was lacking. They appealed to all Parties to live up to their responsibilities. This implies both strict compliance with the Parties' obligations in the Agreement and their genuine commitment to reconciliation and to building a common future.

Difficulties encountered at the initial stage of implementation demonstrate the complexity of the task. The Contact Group States, the signatories to the Agreement and the representatives of international organizations present today have reaffirmed their determination to mobilize further their implementation efforts and to ensure that the Parties comply with their obligations.

The Ministers have given careful study to the review of compliance submitted by the High Representative and the Implementation Force (IFOR) Commanders. They supported their conclusions and drew the Parties' attention to the problems in compliance in the following areas: release of prisoners; implementation of the constitutional framework; withdrawal of foreign forces; ensuring freedom of movement; cooperation with the International Tribunal for the Former Yugoslavia; and ensuring freedom of expression and of the press.

In particular, they agreed that failure to release prisoners was a serious case of non-compliance.

They regretted that, despite the Parties' undertakings, given at Geneva, that release would take place by 23 March, this had not happened.

They noted that the obligation to release prisoners was unconditional and agreed that, unless the prisoners were released, it would not be possible to confirm the economic reconstruction pledging conference on the scheduled dates of 12 and 13 April. The High Representative will propose other measures to be taken immediately against any Party that fails to comply with this obligation.

The careful review of specific areas of implementation of the Agreement leads to the following conclusions:

1. IFOR is fully deployed and operational. A constructive interaction between the contingents participating from various countries has been established, offering a good example of partnership and cooperation in the common interests of the North Atlantic Treaty Organization (NATO) and non-NATO countries.

The IFOR Command and the High Representative, in his capacity as overall coordinator for civilian implementation, are carrying out their duties actively and purposefully. The Contact Group Ministers gave them their full support. They considered that it would be difficult to ensure concerted action on all aspects of the operation without efficient coordination of their efforts and mutual support.

The Contact Group Ministers demanded that the Parties fulfil their obligation to withdraw immediately all foreign forces.

The large quantity of land-mines remaining throughout the territory of Bosnia and Herzegovina poses a particular threat. IFOR, the United Nations, the European Union and the High Representative, together with many non-governmental organizations, are considering additional measures to remove this threat. But the primary responsibility for removing, dismantling or destroying all mines rests with the Parties themselves. Support for the newly created Mine Action Centre is essential.

2. All civilian implementation structures called for in the Peace Agreement have now been established. Coordination between the various international institutions has been intensified, though even closer coordination would help the High Representative to continue to implement his mandate effectively.

The activities of the Joint Civilian Commission and other joint bodies established in accordance with the Agreement, as well as the meetings between the governmental leaders of the Entities conducted by the High Representative, are of paramount importance.

For civilian implementation of the Agreement to be successful, strong support, including financial, should be given to the activities of the High Representative, the United Nations and the Organization for Security and Cooperation in Europe (OSCE) missions in Bosnia and Herzegovina, the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and other international organizations operating in Bosnia and Herzegovina.

The Contact Group Ministers drew the attention of the international community to the significant funding requirements of the implementing agencies.

If those requirements are not quickly met, the realization of the goals of the Peace Agreement will not be achieved.

3. The Contact Group Ministers deplored recent events in Sarajevo. Reaffirming their commitment to a multi-ethnic community in Bosnia and Herzegovina, they expect all Parties to put into place additional measures to ensure security, freedom of movement and conditions for the return of people affected in Sarajevo and all other transferred areas.

4. The Contact Group Ministers noted in particular that the Parties have not yet amended tne Entities' constitutions to ensure their conformity with the Constitution of Bosnia and Herzegovina. It was noted that the Parties committed themselves to rectifying this situation as soon as possible. It was emphasized that provisions of the Entities' constitutions that fail to comply with the Constitution of Bosnia and Herzegovina were null and void.

5. Success of the Bosnian Federation is crucial to the entire peace process. Citing the upcoming Bonn anniversary meeting of the Bosnian Federation, the Contact Group called upon the Parties to move forward vigorously on measures to strengthen the Federation, in particular those agreed to in Rome and Geneva.

6. A primary goal of the next phase of implementation is the preparation and the establishment of the conditions for elections. In this regard, the Contact Group gave its full support to the work of the OSCE Mission in Bosnia and Herzegovina.

Free, fair and democratic elections, held within the time-frame set out in the Agreement, will lay the foundation for representative government and ensure the progressive achievement of democratic goals throughout Bosnia and Herzegovina.

To this end the Parties should:

- Strictly abide by the rules and regulations established by the Provisional Election Commission for elections at the national and local level;

- Remove all obstacles to election campaigning by all political parties and forces;

- Adopt agreed standards concerning the media in order to assure free and equal access to it for registered candidates;

- Foster the free circulation of information about the election process;

- Renounce the exploitation of nationalism, ethnic separation and hatred in the election campaign.

7. The Contact Group Ministers supported the efforts of the United Nations to fully deploy the United Nations International Civilian Police Task Force in Bosnia and Herzegovina by mid-April. It called upon States Members of the

United Nations to fulfil their commitments to urgently contribute qualified officers to the Force.

8. The return of refugees and displaced persons remains an urgent element in the re-establishment of the political and economic life of the country. The Contact Group Ministers stressed the need to facilitate the exercise of the right of return of refugees and displaced persons as set forth in the Agreement. In this regard, the Ministers further noted the reaffirmation by the Parties of their obligation to fully cooperate with UNHCR and to ensure the efficient functioning of the Commission for Refugees and Displaced Persons provided for in annex 7 to the Peace Agreement.

9. Ensuring the respect for human rights and fundamental freedoms in Bosnia and Herzegovina is indispensable to a lasting peace. The activities of all international organizations in this field should be coordinated fully through the High Representative's Human Rights Coordination Centre.

In this connection, elaboration of a uniform methodology of collecting and assessing human rights information is particularly urgent.

The Contact Group Ministers took note of the following commitments confirmed by the Parties:

- To assume responsibility for the active functioning of the Commission for Human Rights as provided for in annex 6 to the Agreement;

- To ensure that human rights monitoring would be carried out unimpeded;

- To provide access to relevant information to the High Representative's Human Rights Coordination Centre, OSCE, UNHCR and to any other organizations authorized by the United Nations Security Council with a mandate concerning human rights or humanitarian law.

Those who have not done so should adopt an amnesty law without delay.

10. Recalling the Parties' commitment in Geneva, the Contact Group Ministers stressed the importance of full cooperation by all Parties with the ICRC Working Group on missing persons.

11. The Contact Group Ministers stressed the need for all Parties to cooperate fully with the International Tribunal for the Former Yugoslavia in the investigation and prosecution of war crimes and other violations of international humanitarian law. The Ministers drew particular attention to the understandings reached in Rome and Geneva.

12. The Contact Group Ministers noted the importance of resolving outstanding difficulties arising from the demarcation of the Inter-Entity Boundary Line. The work of the Inter-Entity Boundary Commission should be completed to ensure smooth demarcation of all areas of Bosnia and Herzegovina.

13. The Contact Group Ministers noted the importance of settling the question of the disputed portion of the Inter-Entity Boundary Line in the Brčko area.

Given the sensitivity of the matter, they requested the Parties to select their arbitrators without delay.

14. The Contact Group Ministers noted that full implementation of the agreed confidence-building and arms control measures is an important element of the peace process.

In this connection they called upon the Parties to conclude before 6 June 1996 the Agreement on arms control measures.

The ultimate goal of these efforts is to achieve balanced and stable defence force levels at the lowest numbers consistent with the Parties' respective security.

The creation, when the time comes, of a "Regional Table" inspired by the Stability Pact will also constitute a guarantee for long-term peace in South-eastern Europe.

15. The economic rehabilitation of Bosnia and Herzegovina is of key importance, as is the need to provide for economic reconstruction in the whole of Bosnia and Herzegovina. Priority should be given to projects that contribute to the economic reintegration of the country and facilitate the process of reconciliation. The Ministers welcomed the resources that have already been allocated to urgent rehabilitation work.

The Parties have direct responsibility to kick-start the economy; Ministers expect them to:

- Contribute actively to the economic rehabilitation and reconstruction of their own country, cooperating actively with the assistance being received from the international community and facilitating the work of international agencies; in particular:

  - Institute immediately in each municipality an economic rehabilitation programme designed to clear up the destruction created by war and the restoration of normal services (utilities, transport and other local services) and promote, on a crash basis, the rebuilding of domestic accommodation, giving priority to the employment of demobilized members of the armed forces;

  - Cooperate with each other and the international economic agencies in creating a programme of this kind in Sarajevo, the modalities of which will be discussed very shortly within the Joint Civilian Commission for Sarajevo.

With any necessary technical expertise from the international agencies, Republika Srpska should arrange for water and electricity supplies to be reconnected to Goražde without delay.

16. The Contact Group called attention to the critical importance of the upcoming 12-13 April Pledging Conference and the need for all participants to

come prepared to fulfil the existing commitments and to make substantial contributions.

17. The participants agreed that a review of the implementation by the parties of their commitments would be conducted regularly and that a comprehensive assessment of the results of the first six months of implementation would take place in Rome on 13 and 14 June 1996, as agreed to previously.